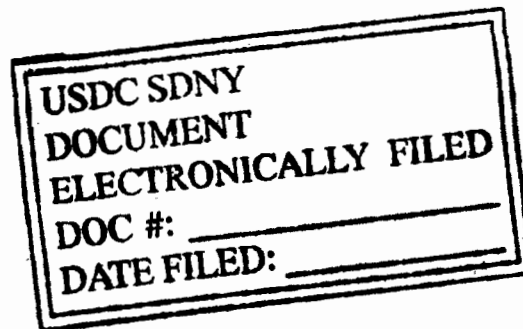


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



-----X
CAI INTERNATIONAL, INC.,

Plaintiff,

v.

MARUBA S.C.A. EMPRESA DE NAVEGACION
MARITIMA,

Defendant.
-----X

BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

09 Civ. 8631 (BSJ)

ORDER

COPY MAILED / FAXED TO:

COUNSEL FOR PLTFF(S):

COUNSEL FOR DFT(S):

PLTFF PRO SE:

DFT PRO SE:


DATE: 1/26/10

BY: JIF

On October 14, 2009, this Court issued an Order granting Plaintiff Cai International, Inc.'s ("Plaintiff") request for process of maritime attachment and garnishment because it found that the conditions set forth in Rule B of the Supplemental Rules for Certain Admiralty and Maritime Claims of the Federal Rules of Civil Procedure appeared to exist. In this Order of Attachment, the Court advised Plaintiff that the attachment would automatically expire 45 days after the date of the Order unless Plaintiff confirmed by letter that it had commenced arbitration or other adversarial proceedings on the merits of the claims underlying the attachment. The Court also advised Plaintiff that the attachment would automatically expire 60 days from the date of its issuance if no assets or other property had yet been restrained pursuant to the Order.

To date, the Court has received no communication from Plaintiff with respect to the commencement of adversarial proceedings or the restraint of assets, and 104 days have passed since the Order of Attachment was issued. Accordingly, the Court's Order of Attachment of October 14, 2009 is VACATED and this action is dismissed without prejudice. The Clerk of the Court is directed to close the case.

SO ORDERED:



BARBARA S. JONES
UNITED STATES DISTRICT JUDGE

Dated: New York, New York
January 26, 2010